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INTRODUCTION

Chairman Buyer, Chairman Craig, Members of the Joint Senate-House Committee on Veterans Affairs, my fellow veterans and friends, I am Lou Abramson, the National Commander of the Jewish War Veterans of the U.S.A. (JWV). JWV is Congressionally Chartered and also provides counseling and assistance to members encountering problems dealing with the Department of Defense (DoD), the Department of Veterans Affairs (VA), and other government agencies. JWV is an active participant in The Military Coalition, a group of over 30 military associations and veterans' organizations representing over five million active duty, reserve and retired uniformed service personnel and veterans on Capitol Hill. I especially express our thanks to the past leadership of this joint session, the Honorable Christopher Smith, former Chairman of the House Veterans' Affairs Committee and, the Honorable Arlen Specter, former Chairman of the Senate Veterans' Affairs Committee, to whom I wish a speedy, full and complete recovery from his recently diagnosed illness and, whom, I wish to proudly add is a member of JWV Post 575 in Philadelphia, Pennsylvania! I also welcome the new committee Chairmen, the Honorable Steve Buyer, and the Honorable Larry Craig. I thank the Ranking Minority Members, Representative Lane Evans and Senator Jay Rockefeller, for their continuing efforts on behalf of veterans and the national defense of our beloved country.

I am accompanied today by the Chairman of our Coordinating Committee, PNC Robert M. Zweiman, who is also JWV's International Liaison, the President of our Ladies Auxiliary, Charlene Ehrlich, the President of our National Museum of American Jewish Military History, PNC Edwin Goldwasser, Chairman of our National Executive Committee, PNC David Hymes and the Director of our National Service Office Program, PDC Ralph Bell, and our National Executive Director, Colonel Herb Rosenbleeth. In the

audience today are those JWV members who are here to meet with their Senators and Representatives as part of JWV's Capitol Hill Action Day.

Members of the committee, it was a singular honor for me to present the JWV Lifetime Achievement Award to the Honorable Lane Evans (IL), at our Congressional Reception yesterday evening, in recognition of his truly outstanding work for America's veterans. It was equally rewarding to JWV to have so many of you participate with us! It is the second time that JWV has given a special honor to Mr. Evans, which reflects our organization's great respect for this truly fine gentleman!

Mr. Chairman, next week, on March 15th to be exact, we at JWV will celebrate JWV's 109th birthday. (Mr. Chairman, it's the organization's 109th birthday not mine.) For these 109 years, JWV has advocated a strong national defense and a just and fair recognition and compensation for veterans. The Jewish War Veterans of the USA prides itself in being in the forefront among our nation's civic and veterans groups in supporting the well-earned rights of veterans, in promoting American democratic principles, in defending universal Jewish causes and in vigorously opposing bigotry, anti-Semitism and terrorism both here and abroad. Today, even more than ever before, we stand for these principles. The Jewish War Veterans of the U.S.A. represents a proud tradition of patriotism and service to the United States of America.

As the National Commander of the Jewish War Veterans of the USA (JWV), I thank you for the opportunity to present the views of our 100,000 members on issues under the jurisdiction of your committees. At the conclusion of JWV's 109th National Convention in New Orleans, LA our convention delegates adopted our resolutions for the 109th Congress. These mandates establish the legislative agenda for JWV during my year as National Commander.

JWV believes Congress has a unique obligation to ensure that veterans' benefits are regularly reviewed and improved to keep pace with the needs of all veterans in a

changing social and economic environment. JWV salutes the Chairmen and Members of these Committees for the landmark veterans' legislation enacted over the past several years. Eligibility improvement, patient enrollment, long-term care, access to emergency care, enhanced VA/DoD sharing, improved preference rights of veterans in the federal government and other initiatives recognize the debt this country owes to those who have faithfully served our country.

We must improve access to veterans' health care, increase timeliness in the benefit claims process, and enhance access to national cemeteries and to state cemeteries for all veterans.

The Jewish War Veterans of the USA, Inc. does not receive any grants or contracts from the federal government.

JWV PROGRAMS

I want to bring to your attention several programs that the Jewish War Veterans of the USA is undertaking to continue our proud tradition, as codified in the preamble to our constitution, "To assist such comrades and their families as may stand in need of help, encouragement or protection." Today, as in days past, our veterans' community remains in need of help, encouragement and protection, especially from the proposed cuts in benefits that are currently before the Congress.

The first program I wish to highlight here today can be summed up by the single word, "Healing." Our soldiers are returning today from the fields of battle with physical and psychological wounds that are unique to their experience. We are working with the Vietnam Veterans, who came home to jeers and isolation and were forced to form their own support groups for health and healing, to help these newest veterans through their pain. As a recent headline in the *New York Times* stated, "A Deluge of Troubled Soldiers Is in the Offing."

As they come back from Afghanistan and Iraq, some are coming back to find out they have no fail-safe options. They come back to find out that there is no one that they can speak to, as to what their feelings are and were. There's no one there to comfort or bond with them; there's no one around who can feel or understand what they have been through, and what they are going through now.

The veterans of Vietnam, who had to gather together to heal their own wounds, can be the resource the Iraq and Afghanistan veterans need for their own healing to begin. Our program binds one generation to another in the bonds of brotherhood and healing felt by and needed by all veterans.

Our next program is called "Veterans Invest in America" and deals with the economic rather than health-related wounds inflicted on our veterans.

Veterans, as do all other citizens, deserve the protection of their way of life in our society from those who take advantage of the benefits of our society while, at the same time, take advantage of outsourcing to their own benefit rather than meeting the obligations they owe to our society.

For the past two decades Americans have been assured high-paying manufacturing jobs sent overseas comprise only a small portion of our economy, that America's strength lies in her high-tech and knowledge based industries. We have been assured our high-paying, high-skilled jobs would remain stateside while only manufacturing jobs would be outsourced to capitalize on cheap foreign labor. But times have changed.

The 560,000 high-tech jobs outsourced overseas over the past three years should sound through the veteran community as a call-to-arms - we must prevent the further loss of jobs overseas and the inevitable harm that will befall the American economy should this trend continue.

With this, the Jewish War Veterans of the U.S.A. (JWV) believes the power to end the massive bleeding of American jobs overseas is through the outspoken participation of America's stockholding veterans. The foundation of their long-term financial wellbeing is the same as that of America's working class – American jobs stay in America.

It is with this belief that JWV invites you to join us in “Veterans Invest in America,” a nationwide initiative assisting veteran stockholders in speaking out against the offshore outsourcing of vital American jobs. We must assure that our veterans, those who have fought for our freedoms, can come home to resume their civilian lives both emotionally healthy and able to provide for themselves and their families.

THE INDEPENDENT BUDGET

Jewish War Veterans is an endorser of the Independent Budget and we want to continue to emphasize the following points from the writers of this document;

- Veterans must not have to wait for benefits to which they are entitled.
- Veterans must be ensured access to high-quality medical care.
- Veterans must be guaranteed access to the full continuum of health-care services, including long-term care.
- Veterans must be assured burial in state or national cemeteries in every state.
- Specialized care must remain the focus of the Department of Veterans Affairs (VA) medical system.
- VA's mission to support the military medical system in time of war or national emergency is essential to the nation's security.

- VA's mission to conduct medical and prosthetics research in areas of veterans' special needs is critical to the integrity of the veteran's health-care system and to the advancement of American medicine.
- VA's mission to support health professional education is vital to the health of all Americans.

BACK-UP TO DoD

VA Hospitals must be adequately funded, staffed and equipped to perform their vital role as this nation's only back-up for DoD medical facilities. U.S. military personnel could possibly suffer casualties exceeding the capacity of the combined military medical treatment facilities.

In such a case, the VA would be vital to the nation. JWV strongly urges the Congress to fund the VA to handle this potential workload.

MOURNING PERIOD FOR FALLEN MILITARY

The Jewish War Veterans of the USA (JWV) has always held in the highest regard the members of the military who defend this nation's values and freedoms.

We hold the principles of liberty most dearly and our members, along with their spouses and families, pledge never to forget those who made the ultimate sacrifice for this nation. We are deeply saddened at the loss of life that is ongoing in the current hostilities and the casualties suffered by Americans in defense of liberty anywhere in the world. JWV continues to support those families left grieving due to the loss of a loved one on the field of battle or protecting America's interests.

The President of the United States authorized specific periods of mourning for those killed in battle. Likewise, state and local jurisdictions often proclaim official mourning periods for those killed in battle.

JWV supports these official mourning periods for all those members of the armed forces recently killed in hostilities against Iraq and those killed as a result of this nation's war on terrorism. We instruct all echelons to engage in appropriate signs of mourning and participate in local programs.

JWV calls on all veterans' organizations to join with us in appropriate memorial commemorations for those men and women who give the ultimate sacrifice for this nation.

HONORING AMERICA'S WAR DEAD

The preamble to the National Constitution of the Jewish War Veterans of the USA (JWV) binds its members "to preserve the memories and record of patriotic service performed by the men and women of our faith; to honor their memory and shield from neglect the graves of our heroic dead."

In solemn testimony to these values, JWV marched behind the caisson carrying the remains of Major Irwin S. Lerner, as he was buried with full military honors at Arlington National Cemetery on January 16, 2004. We were honored to participate in the service bidding farewell to an American hero who was finally laid to rest more than three decades after his death.

JWV recognizes its solemn duty to pay its last respects to our fallen comrades just as we did for Major Lerner. We will forever carry the flag that they carried, forever tend their graves and forever say the Kaddish prayer in their honor.

HOMELAND SECURITY

In addition to being the back-up for DoD, VA medical facilities are the nation's primary medical resource for Homeland Security. Should there be another catastrophic

terrorist attack, especially in more than one location as occurred on 9/11, the VA would be utilized by the Department of Homeland Security.

Already, VA hospitals are preparing to handle mass casualties as well as victims of chemical, biological or radiological attack.

JWV urges the Congress to fully recognize this mission of the VA and to fund the VA accordingly.

ZERO TOLERANCE FOR TERRORISTS

The United States and Coalition Forces must adopt a zero tolerance policy against all terrorist cells and the acts of terrorism, no matter where they occur, in Iraq, Israel, Afghanistan, Indonesia, New York, Washington, D.C. or London. No act of terrorism or terrorist group should be tolerated, whether it is the remains of Saddam's loyalists or a large terror network like Al Qaeda, whatever nation or area it is in. All nations involved are at risk for a terrorist attack.

The Jewish War Veterans of the USA (JWV) recognizes that, while many opposed the initial mission of our country into Iraq, now we Americans must reunite in supporting this worldwide war against terrorism, whether in Afghanistan, Iraq or anywhere else in order to lessen the likelihood of any further attacks on our own shores.

Rather than relying on the massing of extensive ground forces, JWV urges the U.S. military to maintain SWAT teams that can be deployed rapidly to respond to terrorist acts in the Middle East and elsewhere. A quick response to, and zero tolerance of, any terrorist act are important to protect American security, peace and democracy throughout the world.

PATRIOT ACT

The Patriot Act is both a great source protection and a great threat to American Security. The Jewish War Veterans of the USA (JWV) acknowledges the dichotomy and conflict. Therefore, JWV demand that Congress and the Courts balance our security from attack with our need to protect our constitutionally protected civil rights and civil liberties.

THE MILITARY COALITION

JWV continues to be a proud member and active participant of the Military Coalition (TMC). PNC Bob Zweiman, JWV's Chairman of the Coordinating Committee, serves on the Board of Directors of the Coalition and Colonel Herb Rosenbleeth serves as our Washington representative and as Co-Chair of the Coalition Membership and Nominations Committee.

Members of The Military Coalition meet each month and sometimes more frequently, to develop a legislative strategy for issues that affect the uniformed services community they represent. Representatives from the member organizations attend these meetings and serve on one of eight committees (each usually has two chairpersons). Every committee covers a different area of interest: Guard and Reserve; Health Care; Morale, Welfare, Recreation, and Military Construction; Personnel, Compensation, and Commissaries; Retirement; Survivors' Programs; Taxes and Social Security; and Veterans.

Most issues considered by TMC are introduced by one of these committees. Others start in a full meeting and are referred to the appropriate committee, which examines the merits of each issue and makes a recommendation. The issue then comes before the entire Coalition, which decides if the initiative should be placed on TMC's legislative agenda.

Although many issues are considered by TMC, the Coalition focuses on those that have the broadest base of support, the greatest impact on the uniformed services community, or a significant impact on the services' recruiting and retention programs and readiness. TMC's decision to pursue an initiative is governed by TMC's "rule of five". If five or more organizations object to a proposal, the Coalition no longer considers the issue. However, organizations within TMC still may pursue the issue, or even oppose it, on their own.

JWV requests that the House and Senate Committees on Veterans' Affairs do everything possible to fulfill the legislative priorities of the Military Coalition. These positions are well thought out and are clearly in the best interests of our military personnel, our veterans and our nation's security.

HONOR DUE ALL RETURNING AMERICAN VETERANS

The Jewish War Veterans of the USA demands that all returning veterans be treated with the dignity and honor they earned and that there be absolutely no difference in the way they are treated regardless of whether they are members of the National Guard, Reserve or Regular components.

COMBAT AND INCENTIVE PAYS DURING HOSPITALIZATION

JWV is concerned that current eligibility rules for combat zone compensation programs are insensitive to the circumstances of wounded members during hospitalization and rehabilitation. Members assigned to combat zones are eligible for additional pays and tax incentives because the country recognizes the increased risk to life and limb entailed in combat. Yet the members who actually incur not only the risk but the reality of being wounded lose eligibility for combat incentive programs during their hospitalization and recovery from their combat wounds. In many cases, this

recovery can take months, and their families may be subject to additional expenses because of their incapacity.

JWV strongly urges that Congress take action to ensure combat-wounded servicemembers do not have their pay reduced or their taxes increased during periods of hospitalization. JWV believes that such compensation treatment is essential for servicemembers who continue to suffer from the hazardous conditions that combat-related incentive pays and tax relief were created to recognize.

NATIONAL GUARD & RESERVES

More than 350,000 members of the National Guard and Reserve have been mobilized since September 11, 2001, and many thousands more are in the activation pipeline. Today, they face the same challenges as their active counterparts, with a deployment pace greater than any time since World War II. I am very proud to state that the Chief of the National Guard Bureau, Lieutenant General H. Steven Blum, is a member of JWV.

Guard/Reserve operational tempo has placed enormous strains on reservists, their family members and their civilian employers alike. Homeland defense and war-on-terror operations continue to place demands on citizen soldiers that were never anticipated under the “Total Force” policy. JWV understands and fully supports that policy and the prominent role of the Guard and Reserve forces in the national security equation.

However, many Guard and Reserve members are facing increased financial burdens under the current policy of multiple activations over the course of a reserve career. Some senior reserve leaders are rightly alarmed over likely manpower losses if action is not taken to relieve pressures on Guard and Reserve troops. JWV believes that addressing critical Guard and Reserve pay, bonuses, benefits and entitlements issues—

along with active duty manpower increases—are needed to alleviate those pressures and help retain these qualified, trained professionals.

The Jewish War Veterans of the USA demands that all members of the National Guard and Reserves be treated as equal partners in America's total force structure entitled to all of the rights and benefits afforded to those in the active components and that they be equipped with all assets necessary to perform their mission.

JWV urges additional resources for reserve recruitment, retention, and family support to relieve enormous pressure on overstressed Guard and Reserve forces.

JWV urges permanent authority for cost-share access to TRICARE for all members of the Selected Reserve—those who train regularly—and their families in order to ensure medical readiness and provide continuity of health insurance coverage. As an option for these servicemembers, JWV urges authorizing the government to pay part or all of private health insurance premiums when activation occurs, a program already in effect for reservists who work for the Department of Defense.

The increase in Guard and Reserve operational tempo is taking a toll on the families of these servicemembers. These families are routinely called upon to make more and more sacrifices as Operations Iraqi Freedom and Enduring Freedom continue. Reserve component families represent communities throughout the Nation; and, most of these communities are not close to military installations. As a result, these families face unique challenges since they do not have access to traditional family support services that are available to active duty members on military installations. Providing a core set of family programs and benefits that meet the unique needs of these families would go a long way in improving morale and meeting family readiness challenges.

These programs would promote better communication with servicemembers, specialized support for geographically separated Guard and Reserve families, and training (and back up) for family readiness volunteers. Such access should include:

- Expansion of web-based programs and employee and family assistance programs like Military One Source and Guard Family.org;
- Enforcement of command responsibility for ensuring that programs are in place to meet the special information and support needs of Guard/Reserve families;
- Expanded programs between military and community religious leaders to support service members and families during all phases of deployments;
- The availability of robust preventative counseling services for service members and families and training so they know when to seek professional help related to their circumstances;
- Enhanced education for Reserve component family members about their rights and benefits;
- Innovative and effective ways to meet the Reserve component community needs for occasional child care, particularly for preventative respite care, volunteering, family readiness group meetings and drill time; and,
- A joint family readiness program to facilitate understanding and sharing of information between all family members, no matter what the service.

We applaud the support shown to families by DoD and military and civilian community organizations. But with the continued and sustained activation of the Reserve Component, a stronger support structure needs to be implemented and sustained.

AMERICAN IMMUNITY DEMAND

The Jewish War Veterans of the USA renews its previous demands for blanket immunity of US Forces and citizens from any national or international criminal court claiming extra-territorial jurisdiction.

MANDATORY FUNDING

JWV joins with its fellow veterans' service organizations in reaffirming its unanimous support for fully funding the veterans health care system.

Veterans have earned the right to VA health care. Yet each year, funding levels are determined through an annual appropriations process that is fundamentally flawed. Every year, veterans have fought for sufficient funding for VA health care and a realistic budget that reflects the rising cost of health care and the increasing need for medical services. Despite these efforts, the cumulative effects of insufficient funds have resulted in rationing medical care.

The VA reports that it has now reached capacity at many health care facilities across the country. This has hampered efforts for timely access to quality care for veterans, including the most severely disabled. Making VA funding mandatory would be a reasonable solution to address the problem and address the growing backlog of cases.

Under budget law, a mandatory program is one that requires provision of benefits to all who meet the eligibility criteria. These are called "mandatory" programs because the authorizing law mandates funding sufficient to cover the expenses of the program, and funding is not subject to discretionary appropriations in the budget each year. If veterans health care were a mandatory program, sufficient funding to treat enrolled veterans who fell under its mandatory provisions would be guaranteed for so long as the authorizing law remained in effect. Veterans would not have to fight for sufficient funding every year in the budget process.

Mandatory funding would not create an individual entitlement to health care, as some have claimed, nor change the fundamental mission of the VA. Making veterans health care mandatory would also eliminate the yearly uncertainty about funding levels that have prevented the VA from adequately planning for the growing needs of veterans seeking treatment.

This nation can keep its promises to its veterans - past, present and future - by making veterans health care a mandatory funding program.

ASSURED FUNDING FOR VETERANS HEALTH CARE ACT OF 2005

JWV supports HR 515 the Assured Funding for Veterans Health Care Act of 2005, and thanks Rep. Lane Evans (D-IL), ranking Democratic member of the House Veterans' Affairs Committee, for introducing this important legislation.

HR 515 would require the Treasure Secretary to annually provide funding for the VA health care system based on the number of enrollees in the system and the consumer price index for hospital and related services.

Many veterans cited as a major concern the VA's current policy of rationing care, exemplified by long waiting times and lack of reasonable access to VA facilities. Rationing veterans health care is not a policy worthy of congressional support.

We are concerned that the Bush Administration doesn't recognize that veterans health care is a continuing cost of war. This bill would place veterans health care on par with all major federal health care programs by determining resources based on programmatic need rather than political and budgetary gimmicks.

HR 515 is supported by every major veterans' service organizations, as well as the Partnership for Veterans Health Care Budget Reform, a group made up of nine key veterans' service organizations advocating reform.

VA – CUTBACKS

The Jewish War Veterans of the USA (JWV) expresses deep concern that, under the guise of a lack of funding from the Congress, the VA has taken the easy way by creating a category 8 and halting the health care enrollment of an expected 164,000

additional veterans. This is no time to cut them off. The fault lies with both the Congress and the Administration, which has failed to fully fund the VA.

JWV believes that under-funding is ridiculous when under the “Homeland Security Act of 2002” Congress has approved 100 billion dollars to bail out insurance companies. Two billion dollars more for the VA would solve its under funding and make up in part for the recent two-year moratorium in funding for the VA.

VETERANS HEALTH ADMINISTRATION

With young American service members continuing to answer the nation’s call to arms in every corner of the globe, we must now, more than ever, work together to honor their sacrifices. Those men and women who return from battle with career ending injuries and life changing memories will turn to VA for their health care; health care they have earned through their service to this country. VA must be funded at levels that will ensure that all enrolled eligible veterans receive quality health care in a timely manner

Today, there are nearly 26 million veterans. As more veterans choose to use VA as their primary health care provider (over 8 million veterans enrolled or waiting to enroll), the strain on the system continues to grow. JWV fully supported the enactment of Public Law (PL) 104-262, the Veteran’s Healthcare Eligibility Reform Act that opened enrollment in the VA health care system. Many veterans who, until 1996, were ineligible for VA health care are now able to enroll. Veterans recognize that VHA provides affordable quality care that they cannot receive anywhere else.

PRIORITY GROUP 8 VETERANS

The astronomical growth of Priority Groups 7 and 8 veterans seeking health care at their local VA medical facility has resulted in over 300,000 veterans being placed on waiting lists regardless of their assigned Priority Group. FY 2004 saw the continuation

of suspension of enrollment of new Priority Group 8 veterans due to the increased demands for services. JWV does not agree with the decision to deny health care to veterans simply to ease the backlog. Denying earned benefits to eligible veterans does not solve the problems resulting from an inadequate budget.

In passing the Veterans' Health Care Eligibility Reform Act of 1996, PL 104-262, Congress required VA to furnish hospital care and medical services to, among others, any veteran with a compensable service-connected disability or to any veteran who is unable to defray the expenses of necessary medical care and services. It further authorized the VA, with respect to veterans not otherwise eligible for such care and services, to furnish needed hospital, medical, and nursing home care.

The overwhelming response from the veteran population was largely unanticipated and drastically under funded, leading to an unprecedented backlog of veterans waiting to receive care at VA. In an effort to reduce that backlog, VA Secretary Anthony Principi suspended enrollment of new Priority Group 8 veterans.

THIRD PARTY REIMBURSEMENT AND MEDICAL CARE COLLECTIONS

FUNDS

Many veterans, especially those in Priority Groups 7 and 8, have private health insurance through employment and many of those veterans would choose VA as their primary health care provider were they able to do so. VHA is now authorized to bill most fee-for-service and point-of-service insurance carriers, such as Blue Cross/Blue Shield. Not so with Health Maintenance Organizations (HMOs) and Preferred Provider Organizations (PPOs). These payers simply reject VHA claims for reimbursement as “out of network.”

As do all working citizens, veterans pay into the Medicare system without choice. A portion of each earned dollar is allocated to the Medicare Trust Fund and although

veterans must pay into the Medicare system they cannot use their Medicare benefits at any VA health care facility. VA cannot bill Medicare for the treatment of Medicare eligible veterans' nonservice-connected medical conditions. JWV does not agree with this policy and supports Medicare reimbursement for VHA for the treatment of nonservice-connected medical conditions of enrolled Medicare-eligible veterans. As a Medicare provider, VHA would be authorized to bill and collect allowable third-party reimbursements from the Medicare Trust Fund for the treatment of nonservice-connected medical conditions of enrolled Medicare-eligible veterans.

LONG-TERM CARE

JWV believes that VA should take its responsibility to America's aging veterans seriously and provide the care mandated by Congress. Congress should do its part and provide adequate funding to VA to implement its mandates.

ASBESTOS TRUST FUND

The Jewish War Veterans of the USA supports the establishment of a Trust Fund that would include veterans, their dependents and survivors which will ensure that claimants are adequately compensated for the illnesses and deaths arising out of their exposure to asbestos. Moreover, we believe it is only appropriate that any payments received from such Fund be in addition to and not offset by any compensation received from the Department of Veteran Affairs for service-connected disability.

ASBESTOS TESTING & PRESUMPTIVE DISABILITY

The Jewish War Veterans of the USA demands that all veterans who might have been exposed to asbestos be immediately tested by the Department of Veteran Affairs at no cost to the veterans and that any disability thus found be presumptively service-connected. It appears that those men and women who were transported on troop ships might have suffered from a sufficient exposure to asbestos so as to feel the ill affects of that exposure today.

One of the most tragic facts about asbestos-related injuries is that U.S. veterans, as a population, were disproportionately exposed and are now, therefore, disproportionately suffering from the disease and the inability to secure appropriate compensation through the judicial system. Let me explain.

During and after World War II, asbestos use greatly expanded in the military as the asbestos products were specified for use on U.S. Navy ships. This caused hundreds of thousands of workers and sailors to be unknowingly exposed to dangerous asbestos dust. As a result, many of these men and women in our armed forces are contracting an asbestos-related disease decades later.

It was not until the 1970's that the U.S. Government began to regulate asbestos use ... too late for the thousands of veterans who became afflicted with asbestosis, lung cancer, and mesothelioma as a result of their exposure.

The wide variety of occupations of the victims of asbestos disease proves that no one was immune – even family members have been afflicted. Although fire and engine rooms were most commonly associated with asbestos disease, no place aboard Navy ships was safe, including sleeping quarters, mess halls, and navigation rooms, due to asbestos in pipes. Thousands were exposed to asbestos while working at shipyards and dry docks.

Unfortunately, veterans have limited avenues to seek compensation for illnesses caused by their asbestos exposure. This is so because the Federal government was their “employer,” and their ability to recover from the government is restricted by law. Adding to the recovery difficulty is the fact that many asbestos suppliers to the Federal government have largely gone bankrupt, often providing only pennies on the dollar to victims of asbestos exposure, if anything at all.

The Department of Veterans Affairs continues to receive claims for benefits from veterans for illnesses related to asbestos exposure while serving in the military; however, due to the difficulty of proof, less than one-third of the known VA asbestos claimants receive service connected compensation for their asbestos disease.

The status quo is unfair and inequitable. For the many asbestos victims in the veterans community, it is absolutely unacceptable. A solution must be found and it must be expeditiously implemented.

VETERANS BENEFITS ADMINISTRATION

The Department of Veterans Affairs has a statutory responsibility to ensure the welfare of the nation’s veterans, their families, and survivors. Each year, the 58 regional offices of the Veterans Benefits Administration (VBA) receive over 100,000 new and reopened benefits claims. A majority of these claims involve multiple issues that are legally and medically complex and time consuming to adjudicate. Whether a case is complex or simple, these offices are expected to develop and adjudicate veterans’ and survivors’ claims in a fair, legally proper, and timely manner.

VBA has, over the last three years, begun aligning its policies and procedures and has directed most of the regional offices’ time and effort toward reducing claims processing time and reducing the backlog of pending claims. Achievement of Secretary Principi’s stated goal of 100 days to process a claim, on average, and a backlog of

250,000 pending claims by the end of fiscal year 2003 has been and continues to be VBA's number one priority. To fulfill mandated production quotas, regional office management and adjudicators have been put in the difficult and unenviable position of having to choose between deciding thousands of cases as quickly as possible or going through more time consuming steps and provide the claimant full due process.

Unfortunately for thousands of veterans and their families, their rights have been subordinated to bureaucratic convenience for the sake of an arbitrary administrative goal. This persistent disregard of the law prompted thousands to file otherwise unnecessary appeals. Since judicial review of veterans' claims was enacted in 1988, of those cases appealed to the United States Court of Appeals for Veterans Claims (CAVC), the remand rate, historically, has been about fifty percent. In a series of precedent setting decisions by the CAVC and the United States Court of Appeals for the Federal Circuit, the courts have invalidated a number of longstanding VA policies and regulations because they were not consistent with the statute. In response to these decisions, VBA, less than a month ago, provided the regional offices with revised templates to conform to the directives of the court.

These court decisions immediately added thousands of cases to regional office pending workloads, since they require the review and reworking of tens of thousands of completed and pending claims. Between October 2003 and December 2003, the case backlog increased from 250,000 to 350,000. From January to August 2004, the number of pending claims has been reduced only by some 25,000 cases. However, over the same period, the number of appeals pending in the regional offices has grown by 20,000 cases. Data on regional office performance appear to contradict VBA's description of improvements in service to veterans.

JWV urges the new Committee Chairmen and new Secretary of the VA to give this issue their highest attention possible.

CONCURRENT RECEIPT

JWV greatly appreciates Congress' action to date, but strongly urges Congressional leaders and members to be sensitive to the thousands of disabled retirees who are not yet included in concurrent receipt legislation enacted over the past years. Specifically, as a priority, JWV urges the Congress to expand combat-related special compensation to disabled retirees who were not allowed to serve 20 years solely because of combat-related disabilities. Additionally, JWV urges the Congress to ensure the Veterans' Disability Benefits Commission protects the principles guiding the DoD disability retirement program and VA disability compensation system.

JWV applauds the Congress for all of the work that resulted in the landmark provisions in the FY 2004 National Defense Authorization Act that expand combat related special compensation to all retirees with combat-related disabilities and authorizes—for the first time ever—concurrent receipt of retired pay and veterans' disability compensation for retirees with disabilities of at least 50 percent. The FY 2005 National Defense Authorization Act provided additional relief to those with 100 percent disabilities by immediately authorizing these retirees full concurrent receipt, effective January 2005. Disabled retirees everywhere are extremely grateful for this action to reverse an unfair practice that has disadvantaged disabled retirees for over a century.

While the concurrent receipt provisions enacted by Congress benefit tens of thousands of disabled retirees, an equal number are still excluded from the same principle that eliminates the disability offset for those with 50 percent or higher disabilities. The fiscal challenge notwithstanding, the principle behind eliminating the disability offset for those with disabilities of 50 percent is just as valid for those with 40 percent and below, and JWV urges Congress to be sensitive to the thousands of disabled retirees who are excluded from current provisions. As a priority, JWV asks the Congress to consider those who had their careers cut short because they became disabled by combat, or

combat-related events, and were medically retired before they could complete their careers. For these retirees, the disability offset still exists and it is difficult to explain to a lengthy career servicemember, disabled in combat, why his or her service (perhaps as much as 19 years) seems to have had no value. JWV urges the Congress to expand Combat Related Special Compensation to those medically retirees who had less than 20 years of service.

MEETING THE SPECIAL NEEDS OF WOMEN VETERANS

The Jewish War Veterans of the USA (JWV) recognizes that there are service-related problems unique to the woman veteran which continue to be met inadequately by the Department of Veteran Affairs. JWV supports the allocation of VA resources to fully fund women's centers at all major VA medical facilities and provide specially trained medical professionals at each veterans' outreach clinic. The services required include gynecologists, mammograms, mental health and rape counselors, as well as PTSD and Agent Orange screening.

FILIPINO VETERANS

The Jewish War Veterans fully supports the passage of H.R. 302 and S. 146, the "Filipino Veterans Equity Act" introduced by Congressmen Cunningham and Filner in the House and Senator Inouye in the Senate. This legislation will restore to all Filipino World War II veterans their benefits that were rescinded by Congress in 1946.

It is sixty years since the war in the Pacific ended. Sixty long years in which the Filipino World War II veterans and their sons and daughters have waited for equity. These are the soldiers who lived in a territory of the United States, who were drafted into service by President Franklin D. Roosevelt, and who fought along side American forces

in the titanic battles of World War II – Bataan and Corrigidor. Their courage and bravery must be recognized.

Progress was made in the 108th session of Congress with the passage of legislation to improve health care and compensation for Filipino World War II veterans living in the United States. The Jewish War Veterans applauds this action and urges Congress to pass further legislation that lives up to the promises made to Filipino World War II veterans.

Bills introduced in the 108th Congress to grant benefits to Filipino World War II veterans were supported by 21 Senators and 207 Congressmembers. The bills in the 109th session are quickly gaining co-sponsors. The Jewish War Veterans urges Congress to pass both bills – H.R. 302 and S. 146.

POW-MIAS

There is one issue that has long been the focus of our attention, and that is the POW/MIA accounting issue. Initially begun with sole focus on those missing and unaccounted for from the Vietnam War, the effort has expanded dramatically over the years since President Reagan raised the priority, thanks in no small measure to the National League of POW/MIA Families, our JWV and other veteran-related NGOs. We in the JWV fully support the POW/MIA families who have remained vigilant and serve as the conscience of our nation in this regard.

We urge Congress to give thoughtful oversight to this issue of national concern. Together, we must work to ensure that assets and resources needed are in place to account for those who serve – past, present and future. Our commitment to the principles of the POW/MIA mission is a signal to the world that we, as a nation stand fully with those who are fighting for the cause of freedom and against terrorism around the world.

COMPENSATION OF AMERICAN PRISONERS OF THE JAPANESE

IMPERIAL FORCES

Many Americans, combatants and non-combatants, were forced to work as slaves in Japanese factories, brothels, mills, etc. As a result of various treaties between Japan and the United States, these individuals are barred from seeking proper redress and compensation from Japan. Therefore, the Jewish War Veterans of the USA calls upon Congress to establish a Compensation Review Board to review individual cases of forced servitude and, if appropriate, authorize just and proper compensation and support the suits by individuals against Japanese corporations, which had a financial interest in the use of slave laborers.

HOMELESS VETERANS

Almost 300,000 veterans are homeless, and more than half a million are homeless at some point over the course of a year. Although only 2% of homeless veterans are female, they also have the additional burden of dealing with shelters and other programs that turn them away because they may have children.

The Jewish War Veterans of the USA (JWV) urges that there be an increase in services for these men and women who have put their lives on the line to defend our freedoms. These homeless veterans, men and women, have served their country, often in far-away combat zones. Their country should honor their service with adequate programs to integrate them and their dependents back into society with all of the support they may need to overcome homelessness and its often attendant post-traumatic stress disorder and substance abuse.

Furthermore, JWV demands that the VA, local community organizations, and veterans service organizations come together to help those who have borne the burden for us all.

NATIONAL CEMETERY ADMINISTRATION (NCA)

The National Cemetery Administration (NCA) is charged with meeting the interment needs of the nation's veterans and their dependents. There are approximately 14,200 acres within established installations in NCA. Just over half are undeveloped and, with available gravesites in developed acreage, have the potential to provide more than 3.6 million gravesites. More than 301,050 full-casket gravesites, 58,500 in-ground gravesites for cremated remains, and 37,900 columbarium niches are available in already developed acreage in our 120 national cemeteries. JWV commends the NCA in its efforts to meet its accessibility goal of 90 percent of all veterans living within 75 miles of open national or state Veterans cemeteries.

COMMEMORATIVE STAMP

The Jewish War Veterans of the USA (JWV) supports the efforts of the Coalition of Veteran Services Organizations working with the Department of Veterans Affairs in the creation of new US Postage Stamps recognizing the work of veterans organizations.

The new commemorative stamp sheet would enable each organization to have its own stamp as part of an undivided sheet themed "Serving Veterans."

JWV endorses the efforts to create a new commemorative stamp sheet recognizing the work of all veteran organizations, themed "Serving Veterans."

CONCLUSION

JWV greatly appreciates the past efforts of your Committees in authorizing veterans' health care, benefits and programs for the entire veterans' community.

As young American Service members are once again answering the nation's call to arms in every corner of the globe and dying in Iraq almost every day, JWV continues

its proud tradition of securing the earned entitlements of those brave men and women. Proposals continue to be introduced that seek to balance the Department of Veterans Affairs (VA) budget on the backs of America's veterans both old and new. Additionally, in an attempt to curb spending and control the overwhelming backlog of veterans seeking health care at VA facilities, the past Secretary of Veterans Affairs suspended enrollment of Priority Group 8 veterans. JWV does not believe that rationing health care to America's veterans is the solution to the current crises within VA.

Mr. Chairmen and Members of these Committees, JWV appreciates the fine work and dedication you have demonstrated throughout the year to facilitate improvements in the many programs that affect the health and welfare of the nation's veterans and their families. At a time in our nation's history when thousands of U.S. Servicemembers are fighting to protect the freedom of this great country, it is within your power to ensure that their sacrifices are indeed honored with the thanks of a grateful nation.

Thank you for granting me the opportunity to appear before you today.